

United States District Court
Eastern District of Michigan

United States of America,

Hon. Linda V. Parker

v.

Case No. 21-20367

Anthony Cassani,

Defendant.

/

Government's Sentencing Memorandum

In March of 2020, during the early days of the Covid-19 pandemic, an emergency cleaning crew called Anthony Cassani to assist in sanitizing an FBI office space. But rather than do the job he was being paid to do, Cassani chose instead to steal proprietary information about a gang investigation and post it on social media. His criminal conduct has earned him a three-month sentence followed by a one-year term of supervised release with the hope that this brief term of imprisonment will promote respect for the law and deter him and others from committing similar offenses.

Background

The FBI evacuated part of its office in March 2020 so that the building could be sanitized to reduce the spread of Covid-19. While inside the offices he was supposed to be cleaning, Cassani saw a link chart displayed in an agent's cubicle. The chart contained proprietary information about the FBI's investigation, and outlined the rank and hierarchy of members of a violent street gang in Detroit.

After recognizing the name of the gang, Cassani photographed the chart with his cell phone. Cassani then distributed the picture to his friends and associates using multiple social media channels to publicize the FBI's investigation. Within days, the photograph depicting the gang's link chart ended up in the hands of members of multiple street gangs, thereby depriving the FBI of the full benefit of its use. Fortunately, the investigation was not compromised, and no agents were injured; however this providential outcome does not diminish the seriousness of Cassani's crime.

Argument

A. Cassani's history and characteristics; 18 U.S.C. § 3553(a)(1).

This marks Cassani's fourth criminal conviction in the last four years. (PSR ¶¶ 23-25). Notably, two of those convictions also involved theft; unfortunately, none resulted in a custodial sentence. (*Id.*). This pattern of behavior evinces an apparent trend and proclivity toward lawlessness which needs to be brought to an end. A three-month sentence followed by a period of supervised release serves this end.

B. The seriousness of Cassani's offense and the need to promote respect for the law and provide just punishment; 18 U.S.C. § 3553(a)(2)(A).

Cassani chose to steal FBI information and give it to the targets of a federal investigation. Fortunately, this breach of trust did not compromise the investigation or result in injury to law enforcement. This crime is, however, a window into Cassani's lack of respect for the law, and the need to provide just punishment for this offense.

C. The need to provide adequate deterrence to Cassani and others; 18 U.S.C. §§ 3553(a)(2)(B).

The need for deterrence is an important consideration for this Court. It is evident that Cassani's prior noncustodial sentences did little

to alter his behavior. Accordingly, the government is recommending a three-month sentence with the hope that it will deter Cassani and others who may be inclined to mimic this behavior.

Conclusion

The Court should sentence Cassani to three months' imprisonment followed by a one-year term of supervised release.

Respectfully submitted,

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Dated: September 22, 2021

Certificate of Service

I certify that on September 22, 2021, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

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